

In the United States Court of Federal Claims

No. 13-626C

(Filed September 22, 2014)

NOT FOR PUBLICATION

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**MICHAEL ROTH & ASSOCIATES,
ARCHITECTS & PLANNERS, INC.,**

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Plaintiff,

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v.

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THE UNITED STATES,

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Defendant.

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ORDER

Pending before the Court are plaintiff's motions to compel production of documents and to enlarge the period of time in which to conduct discovery. As discussed during today's oral hearing, the Court orders as follows:

Plaintiff is **GRANTED** leave to depose Mr. Clifford Farrell by written questions pursuant to RCFC 31(a)(2)(A)(ii). Plaintiff must serve written questions for Mr. Farrell on or by **September 26, 2014**. Defendant shall serve Mr. Farrell's responses on or by **October 10, 2014**.

Regarding plaintiff's requested deposition of Mr. Eric Miller, plaintiff is to file a supplemental paper with the Court on or by **September 26, 2014**, including any exhibits in support, and explaining his need for this additional deposition. The government shall file its response on or by **October 3, 2014**.

Plaintiff's request that the government be ordered to produce bid documents relating to the construction project is **DENIED** on the ground that the documents, even if relevant to the plaintiff's claim, would be unduly burdensome to produce and duplicative of other evidence (namely the costs of the contracts actually awarded).

To facilitate the second deposition of Mr. Farrell, and further consideration of the motion to depose Mr. Miller, the Court **GRANTS** plaintiff's motion for an enlargement of the period in which to conduct discovery. The expert disclosure date shall be **October 20, 2014**. The close of expert discovery, including depositions, shall be **November 20, 2014**. The parties shall file a joint status report on or by **December 4, 2014**, proposing a schedule for further proceeding.

IT IS SO ORDERED.

s/ Victor J. Wolski
VICTOR J. WOLSKI
Judge